



Public Schools of North Carolina

EC: Regulations & Law

Ready to Open Evidences

Exceptional Children Division
December 2018

LAWS GOVERNING EDUCATION OF STUDENTS WITH DISABILITIES



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Laws Governing Education of Students with Disabilities

- IDEA 2004
<http://idea.ed.gov/explore/home>
- Section 504
<http://www2.ed.gov/about/offices/list/ocr/504faq.html>
- FERPA
<http://www2.ed.gov/ferpa/>



Laws Governing Education of Students with Disabilities

- Article 9
http://www.ncleg.net/EnactedLegislation/Statutes/HTML/ByArticle/Chapter_115C/Article_9.html
- North Carolina Policies
<http://ec.ncpublicschools.gov/policies/nc-policies-governing-services-for-children-with-disabilities>





Charter Schools are LEAs

Pursuant to charter school law and the general statutes governing the education of children with disabilities, a charter school is considered an LEA for purposes of providing special education and related services to children with disabilities



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NC 1500-1.2 (p. 1) ⁵

RTO Checklist & Rubric

Checklist

Ready to Open Progress Report & Evidence Checklist				
The highlighted items are due December 5, 2016.				
Other items are due May 26, 2017.				
Description	Rating Criteria	Location of Evidence (Provide Desktop folder and the name. Provide evidence for all items.)	Criteria Self-Evaluation (Completed by School)	If a section is not complete, please provide an explanation and timeline to completion. The ending point of the timeline should be no later than two weeks prior to the first day of school. At that time, evidence of completion are due to OCS.
Enrollment Please provide a table documenting each grade level served, the number of students enrolled in each grade level and the number of students on the waiting list per grade.	Enrollment is greater than 75% of the projected year one total.			
Required Documentation on File				
Signed & Notarized Charter Agreement	The original signature page has been returned to OCS.			
Certificate of Liability Insurance meeting G.S. 115C-218.20(a) and naming the SBE as an additional insured.	Certificate of Liability Insurance meets all requirements as outlined in charter agreement.			
Board Meeting Minutes from August 2016 to	Evidence of regular board meetings and minutes.			

Rubric

Criteria	Insufficient	Emerging	Quality	Evaluation Notes
Student Enrollment				
Required Documentation				
Board Governance				
School Facility				
Funding Documentation				
Student Accountability				
Key Staff				
Instructional Children				
Transportation Plan				
Local Programs				
School Safety				
Exceptional Children Policies				
Handbooks				

A score of **Quality** consists of evidences that reflect a thorough understanding of effective school instructional, governance, operational, and financial planning to produce a viable and quality public charter school. The evidences address each area with specific and detailed information that demonstrates the board's and school leadership's diligence and preparation.

- All required evidences are completed and submitted on time.
- School policy manuals and handbooks are formally adopted and align with ALL sections of the SBE approved charter application.
- The school will be ready to open two weeks prior to the opening day of its projected calendar.

A score of **Emerging** consists of evidences of each criteria being addressed; however, the evidences lack meaningful detail and still require important additional information prior to the public charter school's opening.

- Most required evidences are completed and submitted on time.
- School policy manuals are close to completion and align with ALL sections of the SBE approved charter application.
- The school is projected to meet the opening day of its projected calendar.

A score of **Insufficient** consists of the evidences lacking meaningful detail, demonstrating lack of preparation, unanticipated obstacles, or otherwise raises substantial concerns about the applicant's understanding of the school governance, operational, and financial planning.



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Enrollment

Description

The school should have a chart on site listing EC students divided by placement (regular, resource, separate) and the date each student's record is received

Evidence(s)

- Chart template
- Short Explanation on how you identify students with disabilities
 - Questions on Enrollment papers
 - Sample Request of Records
 - Statewide Search in CECAS



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Confidentiality

Description

The school has a policy and proposed location regarding the security and confidentiality of EC Student SPED files.

Evidence(s)

Short Explanation

- Where are they located?
- Who has access? Is it posted on filing cabinet?
- Documentation of access to record & why?
- FERPA



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NC 1505-2.5&2.14 (p.114-116) 8

Accommodations

Description

Identify and develop a plan for implementing EC and 504 testing accommodations.

Evidence(s)

- Training for staff on providing accommodations (classroom & testing)
- Short Explanation
 - Documentation on IEP
 - Documentation of Classroom Accommodations provided
 - Documentation of Testing Accommodations provided



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[Testing Students with Disabilities](#) ⁹
NC 1501-12.4 (p. 44)

Personnel

Description

The school has recruited and hired a highly-qualified and licensed special education teacher(s) and/or director.

A source has been identified for related service providers (e.g., School Psychologist, Occupational Therapy, Physical Therapy, Speech-Language Pathology, etc.)

Evidence(s)


- Documentation of attempts to hire a licensed EC Teacher
 - Ex. Chart of interview schedule including license
- Company you will be contracting services with
- Draft or signed contract



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NC 1501-12.2 p. 38) ¹⁰

Questions for Interviews



PUBLIC SCHOOLS OF NORTH CAROLINA
 State Board of Education | Department of Public Instruction

State Board of Education
 Search

EXCEPTIONAL CHILDREN

[Home](#)
[Conferences, PD & Webinars](#)
[Disability Resources](#)
[Finance & Grants](#)
[Instructional Resources](#)
[Parent Resources](#)
[Policies](#)

[State Advisory Council](#)
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[Directory](#)
[Calendar](#)

Reports & Data


You are here: [Home](#) / [Reports & Data](#) / [CIPP & Monitoring](#) / [Monitoring: Program Compliance Review](#) / [Monitoring Tool](#)

Monitoring Tools: Program Compliance Review

- [PCR Workbook](#)
- [PCR Interview Tool](#)
- [PCR Lea Prep Tool](#)
- [PCR Licensure Summary Tool](#)
- [PCR Report Template](#)
- [PCR Student Profile Tool](#)
- [Student Record Protocol](#)

Reports & Data

- [State Performance Plan](#)
- [Child Count](#)
- [CIPP & Monitoring](#)
- [2015-2016 Data Submissions](#)
- [Monitoring: Program Compliance Review](#)
- [Monitoring Tools: Program Compliance Review](#)
- [Summer Institute Training](#)




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Funding

<u>Description</u>	<u>Evidence(s)</u>
<p>Attend training for Exceptional Children special funding streams (i.e., behavioral support, special state reserve).</p> <p>Documentation with a description of sources has been obtained.</p>	<p>Documentation of sources has been obtained.</p> <ul style="list-style-type: none"> – Date of training or contact of NCDPI Regional Consultant – Who attended including their title – What funding sources were discussed – Outcome

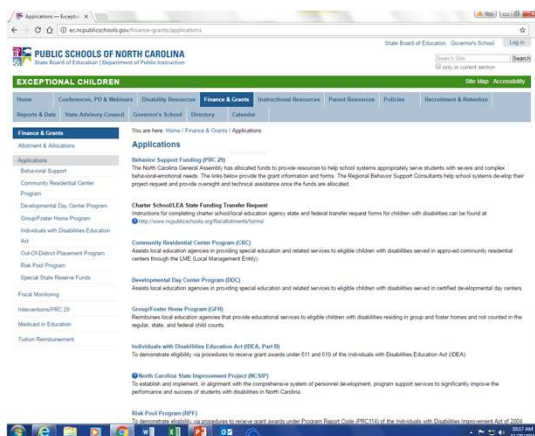


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Funding Sources

- IDEA (Part B)
- Behavior Support (PRC 29)
- [Autism Support \(PRC 118\)](#)
- Medicaid in Education
- NCSIP
- Risk Pool
- Special State Reserve



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Supports & Trainings

Description

Contact EC Regional Consultants for additional supports and trainings.

Evidence(s)

- Contact Log
 - Date of contact
 - Who you contacted
 - Outcome



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Full Continuum of Services

Description

Develop a plan to offer the full continuum of services to meet the special education and related services needs of students with disabilities.

Evidence(s)

- Enrollment Chart that includes placement (regular, resource, separate, homebound)
- Short Explanation
 - Resource, Separate, Homebound Services
 - Flexibility with staff, funding, scheduling



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NC 1501-3.2 (p. 27) ¹⁵

Professional Development Plan

Description

The professional development plan is outlined, scheduled to occur prior to the first day of school, and includes topics that address the needs of Exceptional Children. This PD plan is for the full staff.

Evidence(s)

- Copy of PD plan
 - Date, Audience, Topic
- Documentation of when & how Regular Education teachers are informed of Goals & Accommodations of identified EC Students on their class role prior to the first day of school.



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NC 1503-4.4 (p. 82) ¹⁶

Board Policies

Description

Board approved policies and contingency plans are in place regarding day one of instruction and meeting the needs of all children present (i.e., Homebound, Separate Setting, Related Services).

Evidence(s)

- Policy includes
 - EC teacher & Related Service Providers will provide services starting the first day of school
 - General Education teachers are notified of goals & accommodations prior to first day of school
 - Contingency plan includes meeting to determine compensatory services if unable to provide services as outlined in student's IEP on first day of school



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Professional Development for EC Staff

Description

A professional development plan has been developed to address the staffing needs for those working with students with disabilities (coaching, accommodations, instructional practices, case management). This PD plan is for EC staff only.

Evidence(s)

- PD plan: can be separate or included in School PD plan
 - Date, Audience, Topic
- May include NCDPI EC Division sponsored events
 - Examples: Regional Director Meetings, CECLI, Summer Institutes, EC Conference, March Institute



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Transportation

Description

Arrangements have been made to provide transportation as a related service for EC students who may have this as a component of their IEP.

Evidence(s)

- Funds included in budget
- Name of Company providing service if needed
- Draft and/or signed contract with Company



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Local Policies

Description

Local policies for EC should incorporate all required elements to meet Federal and State regulations:

- (1) Discipline
- (2) Confidentiality
- (3) Accountability
- (4) Maintenance of Effort
- (5) Child Find

Evidence(s)

- Explanation of how you will meet Federal & State Regulations in discipline, confidentiality, accountability, maintenance of effort, and child find
- Inclusion of these policies in Parent/Student Handbooks



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Access to Policies & Procedural Safeguards

Description

- (1) [NC Policies Governing Services for Children with Disabilities](#)
- (2) [Procedural Safeguards: Handbook on Parents' Rights](#)

On-hand at the school and readily available to staff and parents

Evidence(s)

- Statement of where they are located & how access is communicated to staff & parents



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MTSS Framework

Description

Create a plan describing how the school will provide support structures for struggling students who are [NOT in the Exceptional Children's Program](#).

Evidence(s)

Plan includes

- How instruction will be monitored
- Description of school team(s) that organizes system of support
- Outline of supports for struggling students & description of how it will be provided
- Training for staff on selected instructional strategies & materials
- How students are identified as needing extra support
- How individual progress for each student will be determined



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[SLD Policy Addendum-7/1/2020](#) 22
[NC MTSS Livebinder](#)

Exceptional Children Division Charter LEA Support Team

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